

Amend the statutory authority for Part Env-C 608 to read as follows:

Statutory Authority: RSA 146-C:10-a; RSA 482-A:11, I; RSA 482-A:13; RSA 485-A:22

Adopt Env-C 608.08 to read as follows:

Env-C 608.08 Schedule of Fines Relating to Dredge and Fill in Wetlands. For the following violations not otherwise classified under Env-C 614 as major or minor impact based upon the resource area or project type, the amount of the administrative fine shall be \$100:

- (a) Unauthorized dredge, removal, or excavation that involves:
  - (1) A total impact of 3,000 square feet or less in a non-tidal swamp or wet meadow that does not involve draining of wetland for lot development, with disturbance to no more than 5 percent of the area of impacted wetlands;
  - (2) A total impact of 1,000 square feet or less in surface waters, including marshes, other than a great pond or tidal river, that does not involve fill for lot development; or
  - (3) A total impact of 10,000 square feet or less in previously-developed upland of a tidal buffer zone at least 50 feet from a tidal marsh;
- (b) Unauthorized fill project that involves:
  - (1) A total impact of 3,000 square feet or less in a non-tidal swamp or wet meadow, that does not involve fill for lot development, with disturbance no more than 5 percent of the area of impacted wetlands;
  - (2) A total impact of 1,000 square feet or less in area, including marshes, other than a great pond or tidal river, that does not involve fill for lot development; or
  - (3) A total impact of 10,000 square feet or less in previously-developed upland of a tidal buffer zone at least 50 feet from a tidal marsh;
- (c) Unauthorized fill to less than 50 linear feet along the shoreline or bank along the surface waters;
- (d) Unauthorized construction or modification of a seasonal or permanent pier, wharf, or other similar docking structure listed under Wt 402, with 2 or less slips, including pre-existing slips;
- (e) Unauthorized construction or modification of a seasonal canopy as identified in Wt 402, covering a maximum area of 300 square feet;
- (f) Unauthorized construction, modification, repair or replacement of a nontidal retaining wall or other shoreline protection structure involving no change in height, length, location, or configuration, and maximum refacing of 6 inches in thickness;

- (g) Any other unauthorized project that:
  - (1) Does not exceed the criteria in (a) through (f), above; and
  - (2) Qualifies as minimum impact under Wt 101.50 and Wt 303.04.
- (h) Failing to post a permit as specified by RSA 482-A:12;
- (i) Failing to sign a permit;
- (j) Failing to comply with a siltation or erosion control provision where no water quality degradation has occurred.

<b>Rule Section</b>	<b>Statutes the Rule Intends to Implement</b>
Env-C 608	RSA 146-C:10-a; RSA 482-A:11,I; RSA 482-A:13; RSA 485-A:22